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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,257	06/25/2003	Thomas E. Blake III	TRW(FAS)4992-1	4510

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EXAMINER	
ROSENBERG, LAURA B	

ART UNIT	PAPER NUMBER
3616	

DATE MAILED: 04/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/606,257	BLAKE ET AL.	
	Examiner	Art Unit	
	Laura B Rosenberg	3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 January 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *19* is/are allowed.

6)☒ Claim(s) *1-3 and 8-18* is/are rejected.

7)☒ Claim(s) *4-7* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This office action is in response to the amendment filed on 10 January 2005, in which claims 1, 6, and 8 were amended and claim 19 was added.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-3 and 8-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wong et al. (2002/0125705A1) in view of Rickabus (5,931,525). In regards to claims 1 and 16-18, Wong et al. disclose an apparatus comprising a modular headliner assembly (can be seen in figure 2) for a vehicle (#12) having a side structure (including doors #17, 19) and a roof (including roof rail #36), the headliner assembly comprising a headliner (#110), an inflatable vehicle occupant protection device (#28) inflatable away from the vehicle roof into a position between the side structure of the vehicle and a vehicle occupant (can be seen in figure 1), a fill tube (#26) having a portion located in the inflatable vehicle occupant protection device (best seen in figure 1), a support device (including envelope #146 and tabs #66) having a portion adapted to clamp around a portion of the fill tube to connect the fill tube and the inflatable vehicle occupant protection device to the support device (portion of #146 at end of airbag cushion that is connected to fill tube), a first connector (#71) for connecting the support

device to the vehicle to initially connect the modular headliner assembly to the vehicle, and a second threaded connector (including #68, 70) extendable through the support device to fixedly connect the modular headliner assembly to the vehicle (best seen in figure 4). Wong et al. do not disclose a hand grip. Rickabus teaches an apparatus comprising a modular headliner assembly (best seen in figures 2, 6) for a vehicle having a side structure and a roof (inherent), the headliner assembly comprising a headliner (#52), a support device (including #50), a grab handle (#10) having a portion extendable through the headliner and into the support device (including #44, 46), the grab handle being able to releasably interconnect with the support device to connect the grab handle and the support device to the headliner (best seen in figures 2, 6), a first connector (#72) for connecting the support device to the vehicle to initially connect the modular headliner assembly to the vehicle, and a second threaded connector (#70) extendable through the support device and the grab handle to fixedly connect the modular headliner assembly to the vehicle (best seen in figures 2, 6). It would have been obvious to one skilled in the art at the time that the invention was made to modify the apparatus of Wong et al. such that it comprised a handgrip as claimed in view of the teachings of Rickabus so as to aid in getting into and out of the vehicle, as is commonly known in the art.

In regards to claim 2, Wong et al. disclose the first connector comprising a push-in connector (#71) and the second connector comprising a threaded fastener (#68).

In regards to claim 3, Wong et al. disclose the push-in connector (#71) being formed together with the support device (#66, 146). Wong et al. does not specifically

disclose the push-in connector and the support device being a single piece or being made of molded plastic. With respect to the push-in connector and the support device being a single piece, it would have been obvious to one skilled in the art at the time that the invention was made to modify the apparatus of Wong et al. such that it comprised the push-in connector and the support device as a single piece as claimed since it has been held that forming in one piece an article which has formerly been formed in two pieces and put together involves only routine skill in the art. *Howard v. Detroit Stove Works,* 150 U.S. 164 (1893). Further, forming them as a single piece would aid in transporting the module to the automobile assembly plant and would aid in installation of the module. With respect to the plastic material, it would have been obvious to one skilled in the art at the time that the invention was made to modify the push-in connector and support device of Wong et al. such that they comprised plastic as claimed since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. Further, the use of plastic would ensure durability and moisture-resistance at a low cost. With respect to the molded formation, the method of forming the device is not germane to the issue of patentability. Therefore, this limitation has not been given patentable weight.

In regards to claim 8, Wong et al. disclose the inflatable vehicle occupant protection device (#28) and the fill tube (#26), when connected to the vehicle, extending along an intersection of the side structure of the vehicle and the vehicle roof (best seen in figure 1).

In regards to claims 9 and 15, Wong et al. disclose an inflation fluid source, namely an inflator (#24), which provides inflation fluid for inflating the inflatable vehicle occupant protection device.

In regards to claim 10, Wong et al. disclose the inflatable vehicle occupant protection device (#28) being an inflatable curtain (best seen in figure 1 in inflated state) having a stored position extending along the side structure adjacent the roof of the vehicle (best seen in figure 2 in stores state), the inflatable curtain being inflated away form the vehicle roof into the position between the side structure of the vehicle and a vehicle occupant (best seen in figure 1).

In regards to claim 11, Wong et al. disclose the inflation fluid source (#24) being in fluid communication with the fill tube (#26), and, when actuated, providing inflation fluid to the fill tube, the fill tube directing the inflation fluid into the inflatable curtain (#28) to inflate the inflatable curtain (paragraph 0057).

In regards to claims 12 and 13, Wong et al. disclose the inflatable curtain (#28), when inflated, extending along the side structure of the vehicle between an A-pillar (#34) and a C-pillar (not labeled), and overlying at least a portion of the A-pillar, a B-pillar (#33), and the C-pillar of the vehicle (paragraph 0058).

In regards to claim 14, Wong et al. disclose a sensor (including #20) for sensing a vehicle condition for which deployment of the inflatable curtain is desired, the sensor actuating the inflation fluid source to provide inflation fluid to inflate the inflatable curtain (paragraph 0057).

Allowable Subject Matter

4. Claim 19 is allowed.

5. Claims 4-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

6. Applicant's arguments filed 10 January 2005 have been fully considered but they are not persuasive.

In regards to page 11, the Rickabus reference is being relied upon to teach a hand grip. Thus, this secondary reference is not required to disclose all of the features of the applicant's claimed invention.

In regards to pages 11-12, Wong et al. disclose a fill tube (#26) connected to an inflatable protection device (#28) and a support device (including envelope #146 and tabs #66). As is well known in the art, the fill tube must be at least partially located within the inflatable protection device in order to inflate it, or the air from the fill tube will leak out of the fill tube before it reaches the inflatable protection device. Further, as can be seen in figure 1, since the inflatable protection device does not extend further rearward than the support device, the fill tube is also at least partially enclosed within the support device. Thus, the support device has a portion (rearward portion of #146) that is able to clamp around a portion of the fill tube (best seen in figure 1). The applicant is reminded that phrases beginning with "adapted to" or "for" or "to" lead to the

intended use of the apparatus and only require the ability to so perform. Since the support device is able to "clamp" (or join) around a portion of a fill tube, the Wong et al. reference has been properly applied.

In regards to pages 12-13, Wong et al. disclose a push-in connector (#71) and a threaded connector (including #68, 70). The Wong et al. reference does not disclose a grab handle, and the examiner relies on the Rickabus reference to teach a grab handle (#10), a push-in connector (#72) and a threaded connector (#70), the threaded connector and the grab handle being able to be removed to release the headliner (#52) from the vehicle, with the push-in connector still connected to the vehicle. The applicant is again reminded that with intended use statements, the apparatus only requires the ability to so perform.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura B Rosenberg whose telephone number is (703) 305-3135. The examiner can normally be reached on Monday-Friday 7:00am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on (703) 308-2089. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Beginning April 7, 2005, Laura B Rosenberg can be reached at the new USPTO location at (571) 272-6674, and Paul Dickson can be reached at (571) 272-6669.

Laura B. Rosenberg
Laura B Rosenberg
Patent Examiner
Art Unit 3616

LBR

3/29/05
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